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IN THE HON'BLE HIGH COURT OF JUDICATURE, CHHATTISTGARH at BILASPUR.

WRIT PETITION NO. 97 /2005

Devendra Singh
S/o Shri. Harpal singh
Aged around 40 years,
Employed as Constable,
Force No.- 912332297
Central Industrial Security Force,
Bhilai Steel Plant Unit, **BHILAI**.
District : Durg (Chhattisgarh). .... **Petitioner**

VERSUS

1. Union of India,
Through : The Secretary,
Ministry of Home,
North Block, **New Delhi**.

R.H. 5036/04
Presented by Shri B.P. Rao
dated 23/12/04

2. The Deputy Inspector General,
Central Industrial Security Force,
Bhilai Steel Plant Unit, **BHILAI**,
District : Durg (Chhattisgarh).

3. The Assistant Commandant,
Central Industrial Security Force,
Bhilai Steel Plant Unit, **BHILAI**,
District : Durg (Chhattisgarh).

4. The Commandant,
Central Industrial Security Force,
Bhilai Steel Plant Unit, **BHILAI**,
District : Durg (Chhattisgarh). .... **Respondents**

31/12/04

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE ORDER AND WRIT IN THE NATURE OF CERTIORARY, MANDAMUS ETC.

XI-HC—78

(67)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 97/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	25.02.2005 Shri Uttam pandey, counsel for the petitioner. I.A.No.229/2005 for urgent hearing is allowed. Heard on admission. Learned counsel for the petitioner submits that the petitioner is a permanent employee of C.I.S.F. posted in B.S.P. unit at Bhilai. He is a Constable, Force No.912332297. He has been served with a charge sheet in which the reply etc., have been filed by the petitioner and the departmental enquiry is at the verge of termination. Learned counsel submits that the petitioner apprehends that since the department is prejudiced with the petitioner, therefore, orders of harsh punishment like dismissal, removal or discharge etc., may be passed against him. I have perused the records of the case and have also gone through the reliefs claimed by the petitioner. The first relief has been claimed for setting aside the entire charge sheet as well as the enquiry report and the second relief claimed is regarding issuance of a direction to the respondents to treat the entire period of suspension as period spent on duty with all benefits. So far as the first relief is concerned, learned counsel for the petitioner could not point out any cogent reason as to why the	

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 97/2005 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

charge sheet should be quashed and why the enquiry should not be allowed to be completed. About the second relief, admittedly, an order has to be passed by the disciplinary authority alongwith the final orders of the disciplinary proceedings and it shall be too early for this Court to express any opinion or pass any order on this point.

In the opinion of this Court, no ground is made out for interference in the departmental proceedings at this stage. The petition is premature and it is dismissed at the admission stage itself.

However, the petitioner would be free to raise all the grievances including the pleadings taken in this petition before the appropriate forum at the appropriate stage after completion of the enquiry and after passing of the final order, in case any eventuality arises.

With the aforesaid observations, this petition stands dismissed at this stage.

Sd/-
Sunil Kumar Sinha
Judge

Rao

24.3.05